

Membership Balance Plan

ENVIRONMENTAL PROTECTION AGENCY

1. FEDERAL ADVISORY COMMITTEE NAME

State the legal name of the FAC

National Advisory Committee to the United States Representative to the North American Commission for Environmental Cooperation

2. AUTHORITY

Identify the authority for establishing the FAC

Establishment of the committee is authorized under article 17 of the North American Agreement on Environmental Cooperation (NAAEC) and by the North American Free Trade Agreement Implementation Act, P.L. 103-182, which authorizes U.S. participation in the CEC. Federal government responsibilities relating to the committee are set forth in Executive Order 12915, entitled "Federal Implementation of the North American Agreement on Environmental Cooperation."

3. MISSION/FUNCTION

Describe the mission/function of the FAC

The NAC will provide advice, information and recommendations on a broad range of environment-related strategic, scientific, technological, regulatory and economic issues to be addressed in implementation and elaboration of the NAAEC.

4. POINTS OF VIEW

Based on understanding the purpose of the FAC,

- (a) describe the process that will be used to ensure the committee is balanced, and identify the categories*
- (b) consider identifying an anticipated relative distribution of candidates across the categories; and*
- (c) explain how a determination was made to appoint any individuals as Special Government Employees or Representative members*

The NAC will be composed of approximately fifteen (15) members who will serve as Representative members of non-federal interests, Regular Government Employees (RGEs), or Special Government Employees (SGEs). Representative members are selected to represent the points of view held by organizations, associations, or classes of individuals. In selecting members, EPA will consider candidates from the following stakeholder categories: environmental groups and non-profit entities, business and industry, and educational institutions.

5. OTHER BALANCE FACTORS

List any other factors EPA identifies as important in achieving a balanced FAC

Diverse backgrounds, perspectives, and geographic distribution area are also considered.

6. CANDIDATE IDENTIFICATION PROCESS

Summarize the process intended to be used to identify candidates for the FAC, key resources expected to be tapped to identify candidates and the key persons (by position, not name) who will evaluate FAC balance.

The summary should:

- (a) describe the process*
- (b) identify EPA key staff involved (by position, not name)*
- (c) briefly describe how FAC vacancies, if any, will be handled by EPA*
- (d) state the membership term limit of FAC members, if applicable*

Approximately 8 months prior to expiration of committee members' terms the Designated Federal Officer (DFO) meets with EPA's Office of Diversity, Advisory Committee Management and Outreach (ODACMO) to discuss the outreach plan, establish a timeline, and other issues concerning the membership package. After approval of the outreach plan the DFO conducts outreach for new members in accordance with the plan.

The DFO solicits representative candidate names through a Federal Register notice and from individuals who are actively engaged in, business and industry, environmental advocacy groups, national and local environmental non-profit groups, including public interest groups, and academic institutions.

After a review of the pool of nominees, a determination is made to consider whether additional outreach is needed. Each candidate is researched to determine whether the person is a federally registered lobbyist. The DFO develops a draft grid of nominees, including at least one additional candidate for each point of view for the function the committee is to perform.

A balance review of the proposed membership is then conducted by ODACMO and the FACA Attorney. Different levels of EPA managers then review the draft package for questions or comments before the final package is prepared.

Formal letters of invitation to serve on the NAC will be extended by the Administrator or Deputy Administrator of EPA. This cycle will be repeated for any occurring vacancies. NAC members are usually appointed for a two-year term. Generally, members may be reappointed for a total of 6 years.

7. SUBCOMMITTEE BALANCE

Subcommittees subject to FACA should either state that the process for determining FAC member balance on subcommittees is the same as the process for the parent FAC, or describe how it is different*

**This is relevant to those agencies that require their subcommittees to follow all FACA requirements.*

EPA plans to use the process that is used to determine advisory committee member balance for the parent (Tier 1) Federal advisory committee for any Tier 2 subcommittee(s) that may be created.

8. OTHER

Provide any additional information that supports the balance of the FAC

Not applicable.

9. DATE PREPARED/UPDATED

June 18, 2014